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PATENT

Case Docket No. HEART.017C2

Date: September 9, 2004

Page 1

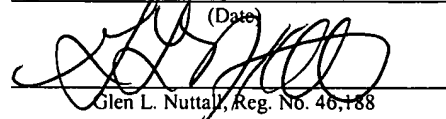
In re application of : Richard D. Charnitski
App. No. : 10/644,591
Filed : August 19, 2003
For : INERTIAL RESISTANCE
EXERCISE APPARATUS AND
METHOD
Examiner : Unknown
Art Unit : 3764

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 9, 2004

(Date)


Glen L. Nuttall, Reg. No. 46,188

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith in the above-identified application is:

- (X) A Petition for Correction of Filing Date under 37 C.F.R. § 1.10(c).
- (X) Copy of Certificate of Mailing by Express Mail.
- (X) Copy of Express Mail label.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) Return prepaid postcard.



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HEART.017C2



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Richard D. Charnitski	Group Art Unit 3764
Appl. No.	:	10/644,591	
Filed	:	August 19, 2003	
For	:	INERTIAL RESISTANCE EXERCISE APPARATUS AND METHOD	
Examiner	:	Unknown	

PETITION FOR CORRECTION OF FILING DATE UNDER 37 C.F.R. § 1.10(c)

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant filed the above-captioned application by the USPS "Express Mail Post Office to Addressee" service on August 19, 2003. Unfortunately, the Patent and Trademark Office incorrectly assigned a filing date of August 18, 2003. Attached are a true copy of the "Certificate of Mailing by Express Mail" certifying that the application was deposited with the USPS on August 19, 2003, and a true copy of the USPS Express Mail label bearing a stamp verifying that the application was, in fact, deposited on August 19, 2003.

APPLICANT HEREBY PETITIONS THAT THE PATENT OFFICE ACCORD THE ABOVE-CAPTIONED APPLICATION THE TRUE FILING DATE: AUGUST 19, 2003


Appl. No. : 10/644,591
Filed : August 19, 2003

Since the error was made by the Patent Office, no petition fee is necessary in this instance.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9/9/04

By: 
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Attorney Docket No. : HEART.017C2
Applicant(s) : Richard D. Charnitski
For : INERTIAL RESISTANCE EXERCISE
APPARATUS AND METHOD
Attorney : Glen L. Nuttall
"Express Mail"
Mailing Label No. : EV 319023094 US
Date of Deposit : August 19, 2003

I hereby certify that the accompanying

Transmittal letter; specification in 32 pages; Preliminary Amendment; 13 sheets
of drawings; Copy Declaration by Inventor in 2 pages; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the
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Glen L. Nuttall

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